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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,736	10/20/2003	Miwako Doi	04329.3164	9256

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EXAMINER

PYO, MONICA M

ART UNIT	PAPER NUMBER
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2161

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/687,736	Applicant(s) DOI, MIWAKO	
	Examiner Monica M. Pyo	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,8,9,11,16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,8,9,11,16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the Amendment filed 11/1/2006.
2. Claims 2, 8-9, 11 and 16-17 are currently pending in this application. Claims 2 and 11 are independent claims. In the Amendment filed 11/1/2006, claims 1, 3-7, 10 and 12-15 are canceled and claims 2, 8-9, 11 and 16-17 are amended. Claims 2, 8-9, 11 and 16-17 are rejected. This action is made Final.

Specification

3. The claim amendment received on 11/1/2006. The claim cancellation is acknowledged and therefore, the specification objections made in a prior Office Action are withdrawn.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 8-9, 11 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,275,824 issued to O'Flaherty et al. (hereinafter O'Flaherty) in view of U.S. Patent No. 5,930,391 issued to Kinjo et al. (hereinafter Kinjo).

Regarding Claims 2 and 11, O'Flaherty disclose an information sharing apparatus, which communicates with at least one terminal corresponding to one of users, comprising:

- A). an acquiring unit configured to acquire an information item which includes, as a suite of a plurality of dataviews for a privacy rule (O'Flaherty: col. 4, lns. 18-29);

B). an extracting unit configured from the information item, as a personal information item, as an access for the personal information (O'Flaherty: col. 4, lns. 30-36 & 53-56);

C). a generating unit configured to generate an anonymous information item by deleting the personal information item from the information item, as to implementing privacy rules and deleting customer information (O'Flaherty: col. 4, lns. 37-60; col. 8, lns. 46-61);

D). a first storing unit configured to store the personal information item and the anonymous information item, as the personal data anonymous (O'Flaherty: col. 4, lns. 37-43);

E). a second storing unit configured to store a first access level which is assigned to a first group of users of the users who can access only the anonymous information item out of the anonymous information item and the personal information item, and to store a second access level which is assigned to a second group of users of the users who can access both of the anonymous information item and the personal information item, as the secure data warehouse with a suite of privacy metadata dataview (O'Flaherty: col. 4, lns. 14-34 and 49-60);

F). a receiving unit configured to receive a request message for accessing the second information item, the request message being transmitted from the terminal, as the communication media with the dataviews and a client (O'Flaherty: col. 4, lns. 61-67);

G). a first transmitting unit configured to transmit only the anonymous information item out of the anonymous information item and the personal information item to the terminal in response to the request message, when an access level

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predetermined to the one of the user is equal to the first access level, as the user desires an anonymous transaction routed to the privacy service (O'Flaherty: col. 5, lns. 31-43);

H). a synthesizing unit configured to synthesize the personal information item with the anonymous information item, to obtain a regenerated information item, as to implementing privacy rules to make the personal data anonymous (O'Flaherty: col. 4, lns. 49-60); and

I). a second transmitting unit configured to transmit the regenerated information item in response to the request message, when the access level of the one of the users is equal to the second access level, as the kiosk/pos device to accept consumer input regarding privacy preferences and storing information (O'Flaherty: col. 5, lns. 1-16).

O'Flaherty does not explicitly disclose:

- A). an image of a person's face**
- B). to extract a contour of the person's face; to detect the image of the person's face**

However, Kinjo discloses:

- A). image of a person's face, as the person's face image (Kinjo: col. 18, lns. 53-58)**
- B). to extract a contour of the person's face; to detect the image of the person's face, as the contour of a person and the person's face image (Kinjo: col. 13, lns. 62-67; col. 17, lns. 53-58).**

It would have been obvious to a person with ordinary skill in the art at the time of invention to apply the contour of person's image of Kinjo in the data privacy management system of O'Flaherty. Skilled artisan would have been motivated to combine the Kinjo's

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teaching of extracting person's face image contour in the O'Flaherty's teaching of managing private data to enhance obtaining accurate information with correct contour line regions (Kinjo: col. 1, lns. 11-20).

Regarding Claims 8 and 16, O'Flaherty and Kinjo disclose the apparatus further comprising a third storing unit configured to store a pair of IDs of each of the personal information item and the anonymous information item,

wherein the synthesizing unit includes (O'Flaherty: col. 4, lns. 49-60):

a second acquiring unit configured to acquire one ID of the pair, based on another ID of the pair, the another ID corresponding to the anonymous information item (O'Flaherty: col. 9, lns. 15-24; fig. 2A); and

a third acquiring unit configured to acquire the personal information item which corresponds to the one ID and is to be synthesized with the anonymous information, from the first storing unit (O'Flaherty: col. 4, lns. 49-60; col. 8, lns. 46-61; col. 14, lns. 31-42).

Regarding Claims 9 and 17, O'Flaherty and Kinjo disclose the apparatus wherein the generating unit generates the anonymous information item by overwriting into an area corresponding to the personal information item with in arbitrary symbols (O'Flaherty: col. 4, lns. 37-60).

Response to Amendment

6. Applicant's arguments with respect to claims 2, 8-9, 11 and 16-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period; then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica M. Pyo whose telephone number is 571-272-8192. The examiner can normally be reached on Mon-Fri 6:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Etienne P. Lehouc
primary examiner

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Monica M Pyo
Examiner
Art Unit 2161

mp
1/18/2007 